

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
James John Kubasko  
Debtor

Case No. 20-00462-MJC  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0314-5  
Date Rcvd: Dec 09, 2021

User: AutoDocket  
Form ID: pdf010

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Total Noticed: 9

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 11, 2021:

Recip ID	Recipient Name and Address
+	ANA MARIE B. AMENTA INSOLVENCY SPECIALIST INTERNAL, 600 ARCH STREET, PHILADELPHIA, PA 19106-1611
+	BRUCE D. BRANDLER, ESQ. US ATTORNEY, P.O. BOX 309, SCRANTON, PA 18501-0309
+	DAVID HUBBERT, ESQ., CHIEF COUNSEL-CIVIL TRIAL SECTION 555 4T, JCB ROOM 6126, WASHINGTON, DC 20530-0001
+	ECLEMUS WRIGHT, ESQ., BANKRUPTCY DIVISION CHIEF, PA DEPT OF REVENUE, BUREAU OF COMPLIANCE, P.O. BOX 280946, 7TH FLOOR HARRISBURG, PA 17128-0946
+	JANE F. ONEIL, LACKAWANNA RIVER BASIN SEWER, PO BOX 280, OLYPHANT, PA 18447-0280
+	LACKAWANNA COUNTY TAX CLAIM BUREAU c/o JOSEPH JOYC, 9 N. MAIN ST., SUITE 4, PITTSTON, PA 18640-1836
+	MERRICK B. GARLAND, U.S. DEPARTMENT OF JUSTICE, ATTORNEY GENERALS OFFICE, 950 PENNSYLVANIA AVE., NW, WASHINGTON, DC 20330-0001
+	PNC BANK, C/O JAMES WARMBRODT, ESQ., KML LAW GROUP, BNY MELLON INDEPENDENCE CENTER 701 MARKE, PHILADELPHIA, PA 19106-1541
+	PORTONOFF LAW ASSOCIATES, C/O JAMES R. WOOD, ESQ., 2700 HORIZON DR., SUITE 100, KING OF PRUSSIA, PA 19406-2726

TOTAL: 9

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 11, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 9, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC Mortgage a division of PNC Bank, National Association bnicholas@kmlawgroup.com

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Brigid E Carey	on behalf of Creditor Moosic Lakes Club becesqnepa@aol.com
Jack N Zaharopoulos (Trustee)	TWecf@pamd13trustee.com
James Warmbrodt	on behalf of Creditor PNC Mortgage a division of PNC Bank, National Association bkgroup@kmlawgroup.com
James Randolph Wood	on behalf of Creditor North Pocono School District and Jefferson Township Sewer Authority jwood@portnoffonline.com jwood@ecf.inforruptcy.com
John J. Martin	on behalf of Miscellaneous Participant Sharon Allen Petrosky-Crowell jmartin@martin-law.net kmartin@martin-law.net;sseana@martin-law.net;jjmartin@martin-law.net;r59891@notify.bestcase.com
John J. Martin	on behalf of Miscellaneous Participant Mark Allen Crowell jmartin@martin-law.net kmartin@martin-law.net;sseana@martin-law.net;jjmartin@martin-law.net;r59891@notify.bestcase.com
Rebecca Ann Solarz	on behalf of Creditor PNC Bank N.A. bkgroup@kmlawgroup.com
Rebecca Ann Solarz	on behalf of Creditor PNC Mortgage a division of PNC Bank, National Association bkgroup@kmlawgroup.com
Tullio DeLuca	on behalf of Debtor 1 James John Kubasko tullio.deluca@verizon.net
United States Trustee	ustpreion03.ha.ecf@usdoj.gov

TOTAL: 11

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	<b>Chapter 13</b>
	:	
<b>James John Kubasko,</b>	:	<b>Case No. 5:20-bk-00462-MJC</b>
	:	
<b>Debtor.</b>	:	
:.....		
<b>James John Kubasko,</b>	:	
	:	
<b>Movant,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>Lackawanna County Tax Claim Bureau,</b>	:	
<b>Jefferson Twp. c/o Portnoff Law Associates,</b>	:	
<b>Jefferson Twp. Sewer Authority,</b>	:	
<b>Moosic Lakes,</b>	:	
<b>PNC Bank,</b>	:	
<b>Internal Revenue Service,</b>	:	
<b>PA Department of Revenue,</b>	:	
<b>and</b>	:	
<b>Jack N. Zaharopoulos,</b>	:	
	:	
<b>Respondents.</b>	:	
:.....		

**ORDER**

**AND NOW**, upon consideration of the Debtor’s Motion for Private Sale of Real and Personal Property Free and Clear of All Liens, Charges and Encumbrances filed on October 15, 2021, Doc. # 103, and required notice thereof provided to creditors and other parties in interest, the Objection filed on October 19, 2021, Doc. #106, and the Limited Objection filed on November 16, 2021, Doc. # 114 and the subsequent Withdrawal thereof, and hearing held December 9, 2021, it is hereby

**ORDERED** that Debtor is granted leave to sell real property located at 79 W. Shore Drive, Jefferson Township, Pennsylvania, along with personal property and fixtures (“Property”) to

**MARK ALLEN CROWELL** and **SHARON PETROSKY-CROWELL** (“Crowell”) for the sum of Six Hundred Thousand Dollars (\$600,000.00) with the conditions that a Twenty-Five Thousand Dollar (\$25,000.00) non-refundable deposit is paid on the date of this Order and the closing takes place on or before December 27, 2021, provided that Debtor has obtained State Court approval of his Petition to Sell, or within two (2) days from the date in which Debtor receives State Court approval, in the event that approval is not received prior to the aforementioned closing date; and it is further

**ORDERED** that in the event that Crowell is unwilling or unable to close on the Property by the aforementioned closing date, that their non-refundable deposit will be subject to forfeit; and it is further

**ORDERED** that secondarily, in the event that Crowell is unwilling or unable to close on the Property by the aforementioned closing date, that Debtor is granted leave to sell the Property to **THOMAS BOLAND, RENEE BOLAND** and **MARY FRATTALI** (“Boland/Fratalli”) for the sum of Five Hundred Seventy-Five Thousand Dollars (\$575,000.00) with a closing to take place on or before seven (7) days from December 27, 2021, or on or before nine (9) days after the Debtor has obtained State Court approval of his Petition to Sell; and it is further

**ORDERED** that the Debtor is granted leave to allow distribution of the proceeds of the sale at closing as follows:

- a. Any out-of-pocket expenses advanced by Tullio DeLuca, Esquire, in connection with the sale of the aforementioned property, and which have not been reimbursed at the time of settlement along with an attorney fee of \$1,488.00;
- b. Any notarization and/or incidental recording fees associated with the sale of the above Property;

- c. Realtors commission of 6% percent;
- d. All claims secured by the Property shall be paid from the sale of the Property;
- e. Any transfer tax which is the responsibility of the seller herein;
- f. Any unpaid real estate taxes and other municipal claims/liens arising from the Property;
- g. That any other unpaid liens shall attach to the remaining sale proceeds;
- h. Debtor's exemption, if any;
- i. The net sale proceeds in an amount to pay the balance owed to the Chapter 13 Trustee, if any, from the above sale shall be paid to Jack N. Zaharopoulos, Esquire, Chapter 13 Trustee, for distribution to creditors in accordance with the Debtor's confirmed plan; and it is further

**ORDERED** that the Debtor is allowed to escrow funds at closing for a potential capital tax gain liability.

Dated: December 9, 2021

By the Court,



Mark J. Conway, Bankruptcy Judge (CN)